

Notice of Allowability

Application No.

09/584,586

Examiner

Anne-Marie Falk, Ph.D.

Applicant(s)

SORRENTINO ET AL.

Art Unit

1632

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed September 2, 2003.
2. ☒ The allowed claim(s) is/are 1,3-15 and 29.
3. ☒ The drawings filed on 31 May 2000 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.
5. ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
 - (a) ☐ The translation of the foreign language provisional application has been received.
6. ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

7. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
8. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No. _____.
 - (b) ☐ including changes required by the proposed drawing correction filed _____, which has been approved by the Examiner.
 - (c) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the margin according to 37 CFR 1.121(d).

9. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- 1 ☐ Notice of References Cited (PTO-892)
- 2 ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3 ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No. _____
- 4 ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material

- 5 ☐ Notice of Informal Patent Application (PTO-152)
- 6 ☐ Interview Summary (PTO-413), Paper No. _____
- 7 ☒ Examiner's Amendment/Comment
- 8 ☐ Examiner's Statement of Reasons for Allowance
- 9 ☐ Other

Anne-Marie Falk
Anne-Marie Falk, Ph.D.
Primary Examiner
Art Unit: 1632

EXAMINER'S AMENDMENT

The amendment filed September 2, 2003 has been entered. Claims 1 and 14 have been amended.

Claims 1, 3-15 and 29 remain pending in the instant application.

The following informal Examiner's amendments were made December 10, 2003. Authorization from Applicants is not required. See MPEP 1302.04.

The application has been amended as follows:

In the Specification:

At page 14, line 16, delete "Figures 2A-2B" and insert therefor --Figures 2A-2D--.

At page 15, line 9, delete "Figure 3D shows the" and insert therefor --Figures 3D-1 to 3D-5 show the--, beginning a new paragraph before the inserted matter.

At page 15, line 18, delete "Figures 4A-4C show" and insert therefor --Figure 4 shows--.

At page 16, line 17, delete "Figure 6B shows Southern blot analysis of hemoglobin DNA" and begin a new paragraph by inserting --Figure 6B shows Southern blot analysis of hemoglobin DNA— immediately before the phrase "for multilineage engraftment" at line 18.

At page 16, line 30, delete "Figure 7B shows" and insert therefor --Figures 7B-1 to 7B-6 show--.

Conclusion

Upon entry of the foregoing amendment, Claims 1, 3-15, and 29 are allowable..

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anne-Marie Falk whose telephone number is (703) 306-9155. The examiner can normally be reached Monday through Thursday and alternate Fridays from 10:00 AM to 7:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Deborah Reynolds, can be reached on (703) 305-4051. The central official fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to William Phillips, whose telephone number is (703) 305-3482.

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Art Unit 1632 will be moving to the new USPTO headquarters on January 13, 2004. After that date, Examiner Falk can be reached at (571) 272-0728 and Examiner Reynolds can be reached at (571) 272-0734.

Anne-Marie Falk, Ph.D.

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ANNE-MARIE FALK, PH.D.
PRIMARY EXAMINER